

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEREK W. MURRAY,

Defendant.

Case No. 19-cr-40016-JPG-2

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Derek W. Murray's motions for a reduction of his criminal sentence pursuant to 18 U.S.C. § 3582(c)(2) and United States Sentencing Guidelines Manual ("U.S.S.G.") § 1B1.10, making Amendment 821 retroactive (Docs. 115 & 117). The Government agrees with the requested reduction (Doc. 117).

The parties agree that the defendant is eligible for a reduction under Part A of Amendment 821, which amended U.S.S.G. § 4A1.1(e) (2023) and concerns criminal history points awarded because a defendant was under a criminal sentence when he committed his offense of conviction ("status points"). Under Amendment 821, the defendant's 2 status points are reduced to 1 status point, and his criminal history category is reduced from V to IV. The result is that his guideline sentencing range is lowered. Considering this lowered range, the parties agree that a sentence reduction from 156 months to 136 months in prison on all counts of conviction is appropriate. The Court agrees for the reasons set forth in the motion.

Accordingly, the Court **GRANTS** the motion (Doc. 117) and reduces the defendant's sentence of imprisonment from 156 months to **136 months**, effective February 1, 2024. The Court attaches its standard order (AO Form 247) reflecting the sentence reduction. In light of this ruling, the defendant's *pro se* motion for a reduction is **DENIED as moot** (Doc. 115).

IT IS SO ORDERED.

DATED: January 16, 2024

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE